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JUN 2 2005

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In re Application of  
A. Beighton  
Application No. 10/031327  
Filed: June 27, 2002

DECISION ON PETITION  
UNDER 37 CFR §1.181

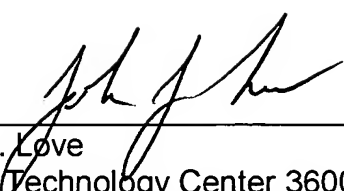
For: Building Structures

This is a decision on applicant's petition under 37 CFR 1.181 filed March 14, 2005 requesting that the restriction requirement mailed May 5, 2003 be withdrawn.

The petition is **DENIED**.

In the above noted restriction requirement, the examiner indicated two restrictable inventions, claims 1-62 and 66 drawn to a building structure and claims 63-69 drawn to a method of building a building structure. As noted in the examiner's restriction, the method claims contain distinct method and structure not found in the article claims. The method claims require a guide rail and the step of "... driving the room module along the guide rail into engagement..." This step is not required to assemble the building set forth in the article claims. This appears to be the special feature of the method claim. The fact that the article and method claims share certain structural recitation is not seen to carry the special technical features argument presented by applicant.

For the reasons noted above, the petition is **DENIED**.



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Cf 5/19/05